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Diana Maria Cantu

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AT&T Legal Department - HFZ

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EXAMINER

LE, MIRANDA

ART UNIT

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2159

MAIL DATE

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/716,172	Applicant(s) CANTU ET AL.	
	Examiner MIRANDA LE	Art Unit 2159	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 February 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 and 29-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 and 29-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 02/17/09 has been entered.

This communication is responsive to Amendment, filed 02/17/09.

Claims 1-25, 29-33 are pending in this application. This action is made non-Final.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is

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advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-25, 29-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Narasimhan, Anand et al. (US Pub No. 20030169730), in view of Cahill et al. (US Patent No. 6,535,855).

As to claims 1, 14, Narasimhan teaches a method/system for organizing related communication messages comprising:

receiving a first extensible markup language (XML)-based (*i.e. XML, [0009]*) communication message from a first communication device associated with a first user (*i.e. a fax message is sent through the various network elements, [0019]*);

receiving a definition file (*i.e. a representation language is utilized to specify information pertaining to the incoming message, [0026]*) associated with the first XML-based communication message (*i.e. mark-up languages that determine the rules for disposition or presentation of messages or other communication between one or more networked objects are used (examples include HTML, XML, etc.). The use of representation methods for unified approaches to document handling, message and communication handling, signaling, routing, security, and other methods of disposition or handling of*

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interactions and sessions as part of a successful communication transaction are described, [0009]);

 parsing the first XML-based communication message using the definition file to identify an XML tag (*i.e. an identification of the customer and a docket number that associates the message with a client of the customer, page 8, lines 1-4*) of interest in the XML-based communication message (*i.e. a representation language is utilized to specify information pertaining to the incoming message, [0026]);*

 using the identified XML tag (*i.e. A further advantage of the DAV mechanism for the end-user leg of the communication path is that the tags of the mark-up language shown in FIGS. 5 and 6 (e.g. XML tags which are attached to a document that contains the message) can be reused by the DAV mechanism, as an attribute of the file containing the message. In a particular scenario, one of the XML tags may include a docket number that is conventionally used by law firms to associate a document or task with a particular client and/or matter, [0034])* from the first XML-based message to identify a second XML-based communication message stored in one of a first database or a second database, the second XML-based communication message having been previously received from the first user, the first XML-based communication message being of a different communication medium (*i.e. various communication types, [0006])* than the second XML-based communication message (*i.e. A further advantage of the DAV mechanism for the end-user leg of the communication path is that the tags of the mark-up language shown in FIGS. 5 and 6 (e.g. XML tags which are*

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attached to a document that contains the message) can be reused by the DAV mechanism, as an attribute of the file containing the message. In a particular scenario, one of the XML tags may include a docket number that is conventionally used by law firms to associate a document or task with a particular client and/or matter. Thus, the end user could add the docket number as an attribute of the DAV file that contains the message which she has recognized to be associated with the docket number. In this manner, the user may search the DAV file store 756 for messages that are associated with a given docket number. This feature allows the message delivery service to provide more focused billing information to the end user, sorting the incoming and outgoing messages by their docket numbers. This feature may be very attractive for business end users, and particularly those in the legal field which need to associate each communication with a certain client and/or matter number, for purposes of billing. It can therefore be appreciated that the use of DAV in the message delivery service architecture described above provides a much more flexible interface for the end user than e-mail, [0034]);

identifying the one of the first database or the second database in which the second XML-based communication message is stored (i.e. the user may search the DAV file store 756 for messages that are associated with a given docket number. This feature allows the message delivery service to provide more focused billing information to the end user, sorting the incoming and outgoing messages by their docket numbers, [0034]);

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based on the identification, converting the first XML-based communication message into a converted message having a format associated with the identified one of the first or second database that stores the second XML-based communication message (*i.e. the user may search the DAV file store 756 for messages that are associated with a given docket number. This feature allows the message delivery service to provide more focused billing information to the end user, sorting the incoming and outgoing messages by their docket numbers, [0034]*); and

based on the identification, causing the converted message to be stored in association with the second XML-based communication message in the identified one of the first or second database that stores the second XML-based communication message (*i.e. the message is further translated and sent to a DAV file store 756, in a DAV document format. An end user, via a DAV client program 760, may then access the file and play back or display the message, [0034]*).

Narasimhan teaches a definition file as a representation languages (*i.e. a representation language is utilized to specify information pertaining to the incoming message, [0026]*).

Although Narasimhan does not explicitly state the term “Document Type Definition”, Cahill teaches this limitation (*i.e. XML Document Type Definition (DTD), col. 43, lines 7-10*).

It would have been obvious to one of ordinary skill of the art having the teaching of Narasimhan and Cahill at the time the invention was made to modify

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the system of Narasimhan to include the limitations as taught by Cahill. One of ordinary skill in the art would be motivated to make this combination in order to provide virtually immediate, on-going interaction between a banking institution and its customers in view of Cahill (Summary), as doing so would give the added benefit of achieving a system which is capable of reaching customers/subscribers over numerous, different communication channels as taught by Cahill (Summary).

As to claims 2, 15, Narasimhan, as combined, teaches the first XML-based communication message and the second XML-based communication message are substantially related to a same topic (*i.e. an identification of the customer and a docket number that associates the message with a client of the customer, page 8, lines 1-4*).

As to claims 3, 16, Narasimhan, as combined, teaches enabling a telecommunications service that organizes related communication in one or more databases (*i.e. the messages are then translated into a format suitable for playback or display by either a telephone, facsimile machine or other receiver that can be accessed via the telephone circuit switched network 704, [0030]*).

As to claims 4, 17, Narasimhan, as combined, teaches:
converting a third XML-based communication message into a same format as the converted message when the third XML-based communication

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message has one or more XML tags that match the XML tags of the first XML-based communication message (*i.e. the message is further translated and sent to a DAV file store 756, in a DAV document format. An end user, via a DAV client program 760, may then access the file and play back or display the message, [0034]*); and

forwarding the convert third XML-based communication message to a database associated with the converted message (*i.e. the user may search the DAV file store 756 for messages that are associated with a given docket number. This feature allows the message delivery service to provide more focused billing information to the end user, sorting the incoming and outgoing messages by their docket numbers, [0034]*).

As to claims 5, 18, Narasimhan, as combined, teaches the definition file is a Document Type Definition (*i.e. A further advantage of the DAV mechanism for the end-user leg of the communication path is that the tags of the mark-up language shown in FIGS. 5 and 6 (e.g. XML tags which are attached to a document that contains the message) can be reused by the DAV mechanism, as an attribute of the file containing the message. In a particular scenario, one of the XML tags may include a docket number that is conventionally used by law firms to associate a document or task with a particular client and/or matter, [0034]*).

As to claims 6, 19, Narasimhan, as combined, teaches:

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selecting an initial database when the second XML-based communication message is not identified (*i.e. the messages are then translated into a format suitable for playback or display by either a telephone, facsimile machine or other receiver that can be accessed via the telephone circuit switched network 704., [0030]*);

converting the first XML-based communication message into a format corresponding to the selected, initial database (*i.e. the messages are then translated into a format suitable for playback or display by either a telephone, facsimile machine or other receiver that can be accessed via the telephone circuit switched network 704., [0030]*)' and

forwarding the converted first XML-based communication message to the selected initial database (*i.e. the messages are then translated into a format suitable for playback or display by either a telephone, facsimile machine or other receiver that can be accessed via the telephone circuit switched network 704., [0030]*).

As to claims 7, 20, Narasimhan, as combined, teaches:
forwarding the first XML-based communication message to the first communication device when the first XML-based communication message comprises a Document Type Definition (*i.e. A further advantage of the DAV mechanism for the end-user leg of the communication path is that the tags of the mark-up language shown in FIGS. 5 and 6 (e.g. XML tags which are attached to a document that contains the message) can be reused by the DAV mechanism,*

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as an attribute of the file containing the message. In a particular scenario, one of the XML tags may include a docket number that is conventionally used by law firms to associate a document or task with a particular client and/or matter, [0034]).

As per claim 8, Narasimhan, as combined, teaches the first communication device is at least one of a voicemail server, a facsimile server, an email server, or a web server (*i.e. the messages are then translated into a format suitable for playback or display by either a telephone, facsimile machine or other receiver that can be accessed via the telephone circuit switched network 704., [0030]).*

As to claims 9, 21, Narasimhan, as combined, teaches the format of the one of the first or second databases that stores the second XML-based communication message comprises at least one of Oracle, Sybase, MySQL, MsQL, or DB2 (*i.e. SQL, [0018]).*

As to claims 10, 22, Narasimhan, as combined, teaches forwarding a responsive XML-based message comprising a Document Type Definition to a mediation web server (*i.e. A further advantage of the DAV mechanism for the end-user leg of the communication path is that the tags of the mark-up language shown in FIGS. 5 and 6 (e.g. XML tags which are attached to a document that contains the message) can be reused by the DAV mechanism, as an attribute of*

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the file containing the message. In a particular scenario, one of the XML tags may include a docket number that is conventionally used by law firms to associate a document or task with a particular client and/or matter, [0034]).

As to claims 11, 24, Narasimhan, as combined, teaches forwarding a confirmation message to at least one of a customer agent or a customer (*i.e. an identification of the customer and a docket number that associates the message with a client of the customer, page 8, lines 1-4*).

As to claims 12, 25, Narasimhan, as combined, teaches forwarding at least one of a voicemail message, a facsimile message, an email message, or an Internet (*i.e. the messages are then translated into a format suitable for playback or display by either a telephone, facsimile machine or other receiver that can be accessed via the telephone circuit switched network 704., [0030]*).

As per claim 13, Narasimhan, as combined, teaches the first XML-based communication message is received from a customer agent (*i.e. an identification of the customer and a docket number that associates the message with a client of the customer, page 8, lines 1-4*).

As per claim 23, Narasimhan, as combined, teaches the communication control device is at least one of a voicemail server, a facsimile server, an email server, or a web server (*i.e. the messages are then translated into a format*

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suitable for playback or display by either a telephone, facsimile machine or other receiver that can be accessed via the telephone circuit switched network 704., [0030]).

As per claim 29, Narasimhan, as combined, teaches using the received XML tag from the first XML-based message to identify the second XML-based communication message comprises:

extracting a first portion of data stored in the first XML-based communication message (*i.e. an identification of the customer and a docket number that associates the message with a client of the customer, page 8, lines 1-4*);

retrieving a second portion of data associated with the second XML-based communication message (*i.e. an identification of the customer and a docket number that associates the message with a client of the customer, page 8, lines 1-4*).; and

determining if the first portion and the second portion match (*i.e. an identification of the customer and a docket number that associates the message with a client of the customer, page 8, lines 1-4*).

As per claim 30, Narasimhan, as combined, teaches using the received XML tag from the first XML-based message to identify the second XML-based communication message (*i.e. A further advantage of the DAV mechanism for the end-user leg of the communication path is that the tags of the mark-up language*

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shown in FIGS. 5 and 6 (e.g. XML tags which are attached to a document that contains the message) can be reused by the DAV mechanism, as an attribute of the file containing the message. In a particular scenario, one of the XML tags may include a docket number that is conventionally used by law firms to associate a document or task with a particular client and/or matter. Thus, the end user could add the docket number as an attribute of the DAV file that contains the message which she has recognized to be associated with the docket number. In this manner, the user may search the DAV file store 756 for messages that are associated with a given docket number. This feature allows the message delivery service to provide more focused billing information to the end user, sorting the incoming and outgoing messages by their docket numbers. This feature may be very attractive for business end users, and particularly those in the legal field which need to associate each communication with a certain client and/or matter number, for purposes of billing. It can therefore be appreciated that the use of DAV in the message delivery service architecture described above provides a much more flexible interface for the end user than e-mail, [0034]) is performed before converting the first XML-based communication message and before causing the converted message to be stored in the one of the first or the second database (i.e. the message is further translated and sent to a DAV file store 756, in a DAV document format. An end user, via a DAV client program 760, may then access the file and play back or display the message, [0034]).

As per claim 31, Narasimhan, as combined, teaches the first XML-based communication message comprises one of a voicemail message, a facsimile message, an email message, or an Internet message, and the second XML-based communication message comprises a different one a voicemail message, a facsimile message, an email message, or an Internet message (*i.e. various types [006], the messages are then translated into a format suitable for playback or display by either a telephone, facsimile machine or other receiver that can be accessed via the telephone circuit switched network 704, [0030]*).

As per claim 32, Narasimhan, as combined, teaches the second XML-based communication message is from a second communication device associated with the first user, the first and second communication device being different types (*i.e. various types [006], the messages are then translated into a format suitable for playback or display by either a telephone, facsimile machine or other receiver that can be accessed via the telephone circuit switched network 704, [0030]*).

As per claim 33, Narasimhan, as combined, teaches:

retrieving the first XML-based communication and the second XML-based communication message from the one of the first or second database that stored the second XML-based message (*i.e. an identification of the customer and a*

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docket number that associates the message with a client of the customer, page 8, lines 1-4); and

sending the first XML-based communication message and the second XML-based communication message to a second communication device associated with a service provider (i.e. the message is further translated and sent to a DAV file store 756, in a DAV document format. An end user, via a DAV client program 760, may then access the file and play back or display the message, [0034]).

Response to Arguments

With respect to claims 1-25, 29-33, Applicants have amended the independent claims 1, 14 to recite a new limitation “receiving a definition file... XML-based communication message”; “parsing the first... XML-based communication message”; “identifying the one of the first database... XML-based communication message is stored”; however, upon further consideration, a new ground(s) of rejection is made in view of newly found prior art.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Miranda Le whose telephone number is (571) 272-4112. The examiner can normally be reached on Monday through Friday from 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James K. Trujillo, can be reached at (571) 272-3677. The fax number to this Art Unit is (571)-273-8300.

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Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <<http://pair-direct.uspto.gov>>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Miranda Le/

Primary Examiner, Art Unit 2159